



Docket No. 246152002603

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Assistant Commissioner for Patents, Washington, D.C. 20231, on November 4, 2002

Marian Christopher
Marian Christopher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert VAN GORCOM et al.

Serial No.: 10/079,709

Filing Date: February 19, 2002

For: CLONING AND EXPRESSION OF
MICROBIAL PHYTASE

Examiner: To be assigned

Group Art Unit: 1652

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to File Corrected Application Papers mailed April 08, 2002, for which a response was due on June 08, 2002. A request for five-month extension of time is submitted herewith, extending the time for response from June 8, 2002, to November 8, 2002. Accordingly, this response is timely filed.

Filed herewith are the following:

Substitute specification consisting of 62 pages;

Substitute drawings, consisting of 34 pages;

Paper copy of Sequence Listing, consisting of 28 pages; and

Copy of Notice to File Corrected Application Papers.

Please enter the following remarks.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/079,709	02/19/2002	Robert Van Gorcom	246152002603

25225
MORRISON & FOERSTER LLP
3811 VALLEY CENTRE DRIVE
SUITE 500
SAN DIEGO, CA 92130-2332

CONFIRMATION NO. 9896

FORMALITIES LETTER



Date Mailed: 04/08/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

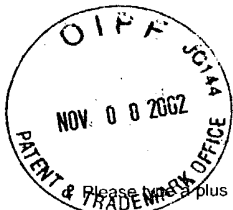
Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 1-62 are not in compliance with 37 CFR 1.52(a). *The drawings filed are unacceptable because:
Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.*
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Gw

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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number

10/079,709

Filing Date

February 19, 2002

First Named Inventor

Robert VAN GORCOM

Group Art Unit

1652

Examiner Name

To be Assigned

Attorney Docket No.

246152002603

ENCLOSURES (check all that apply)☒ Fee Transmittal Form (1 page + dup.)☐ Fee Attached☒ Reply to Notice to File Corrected
Application Papers (126 pages)☐ After Final☐ Affidavits/declarations☒ Extension of Time Request (1 page)☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):

1. Copy of Notice to File Corrected
Application Papers (2 pages);
2. Return Receipt Postcard.

Remarks

CUSTOMER NO. 25225

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Carolyn A. Favorito, Reg. No. 39,183

MORRISON & FOERSTER LLP

3811 Valley Centre Drive, Suite 500, San Diego, California 92130-2332

Signature

Date

November 1, 2002

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Marion Christopher

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

[sd-117490]